

**STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
HEALTHCARE SYSTEMS BRANCH**

In re: Mark Soderlund, LPN

Petition No. 2005-1229-011-049

**STATEMENT OF CHARGES**

Pursuant to the General Statutes of Connecticut, §§19a-10 and 19a-14, the Department of Public Health (hereinafter "the Department") brings the following charges against Mark Soderlund:


1. Mark Soderlund of East Haven, Connecticut (hereinafter "respondent") is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut practical nurse license number 025382.
2. At all relevant times, respondent was employed as a nurse at Gladview Health Care Center in Old Saybrook, Connecticut (hereinafter "the facility").
3. On or about Saturday October 30, 2004, respondent failed report to the facility for the 7 a.m. to 3 p.m. shift until 9 a.m. At that time, he conducted the change-of-shift narcotic count with another nurse. The count was correct.
4. At or about 11:30 a.m. that day, respondent asked another nurse to co-sign for waste of two Oxycontin 80 mg tablets, which she refused to do as she had not witnessed the waste.
5. Respondent was sent home from work that day as one or more staff members observed that respondent had slurred speech, an unsteady gait, and difficulty keeping his eyes open.
6. After respondent left the facility, a count of the medication cart for which respondent was responsible established that at least two tablets of Oxycontin and/or one tablet of Ativan 0.5 mg were missing.
7. On one or more occasions between approximately September 2004 and October 2004, respondent documented removal of controlled substances, including but not limited to Oxycontin, Oxycodone, Ativan, Dilaudid, and/or Percocet, on various residents' proof of use sheets without corresponding documentation on the medication administration record and/or the individual resident's medical record.
8. On or about November 2, 2004, and again on November 10, 2004, respondent admitted that he was addicted to and had diverted Percocet from the facility.
9. Between approximately September 2004 and October 2004, respondent:
  - a. diverted Oxycontin, Oxycodone, Ativan, Dilaudid, and/or Percocet;
  - b. failed to completely, properly and/or accurately document medical or hospital records; and/or,
  - c. falsified one or more Controlled Substance Receipt Records.

10. Between at least September 2004 and October 2004, respondent abused or utilized to excess Oxycontin, Oxycodone, Ativan, Dilaudid, and/or Percocet.
11. Respondent's abuse of Oxycontin, Oxycodone, Ativan, Dilaudid, and/or Percocet does, and/or may, affect his practice as a nurse.
12. The above facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-99(b), including but not limited to:
  - a. §20-20-99(b)(2);
  - b. §20-20-99(b)(5); and/or,
  - c. §20-20-99(b)(6).

THEREFORE, the Department prays that:

The Connecticut Board of Examiners for Nursing, as authorized by the General Statutes of Connecticut, §§20-99(b) and 19a-17, revoke or order other disciplinary action against the license of Mark Soderlund as it deems appropriate and consistent with law.

Dated at Hartford, Connecticut this 8<sup>th</sup> day of March 2006.

  
Jennifer Filippone, Section Chief  
Practitioner Licensing and Investigations  
Healthcare Systems Branch